REMARKS

In this current Amendment, Claim 8 is now withdrawn. The reference used to reject claims in the prior Office Action is US patent no. 7,098,942, Nihei, Kaname (hereinafter referred to as "Nihei").

Following in order of the Examiner's remarks:

Claim 6 has been amended to clarify the Examiner's rejection based upon lack of inclusion of an automatic launch of a user interface. The original Specification describes this "auto-launch" (a patented invention of the Assignee) in the Abstract ("...or the act of inserting the media in the device.") and in [0033] ("...the hardware one-touch buttons may be omitted, leaving a device with at least one digital reader that works automatically in concert with the inventive software").

Regarding Claim 7, this Claim has been amended to exclude the generic form of a flatbed scanner, and now concentrates on claiming the button interface as it relates to directing the scan to result in an email, fax, print job, or archive command as claimed in twice amended Claim 3.

With respect to Claim 2, the Examiner indicates that Nihei teaches an apparatus connected to at least one USB equipped computer, and alludes to that "computer" as being a flatbed scanner (Page 4, line 4 of Remarks). The inventive apparatus is a flatbed scanner with one or more digital card readers embedded in the scanner itself. Nihei teaches and claims a photograph reproduction kiosk which does indeed provide a scanning apparatus as a means for generating photograph prints, however it does not contain any card reader slot. Nihei claims a terminal wherein a cable to convert or connect to a USB device may be present (Fig 1-3). This is vastly different than a physical card reader slot which is a physical component of the inventive apparatus.

With respect to newly amended Claim 3, Nihei contains a touch screen panel wherein the user can, after depositing coins into the kiosk (Fig. 4-41), select to print out photographs from the

kiosk (Fig. 4-43-45). The inventive apparatus is a flatbed scanner with one or more digital card reader slots wherein the buttons are assigned by the inventive software to send read image data as a fax, email, print or archive command. Each button is configured by the user and the inventive software to facilitate a "OneTouch" (TM owned by Assignee) assignment of a scan or read image data. This is vastly different than inserting a coin and having a touch screen appear on a photographic reproduction kiosk. Claim 3 is amended to be more concise with regard to the software control of the scanner buttons.

Regarding Claim 4, the Examiner rightly rejects the generic teaching of a flatbed scanner, and thus, Claim 4 is currently amended to teach a scanner containing one or more digital card reader slots which may accommodate at least one of a Compact Memory card reader, a Smart Media card reader, a PC or PCMCIA card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and an IBM Microdrive reader.

Claim 6 is amended to teach the "auto-launch" described herein. Nihei does not automatically detect the insertion of media and launch a user interface without intervention by the user. Nihei requires several steps of user interaction. "In response to being touched, the touch-sensitive panel 33 inputs a signal indicative thereof to the computer 30" (Col. 4 line 30). "Drive is activated after paying a dollar" (Col. 4 line 60). These are two simple examples of several user interactions steps required.

Claim 7 is amended to teach the inventive software assignment of a function to a button on the flatbed scanner.

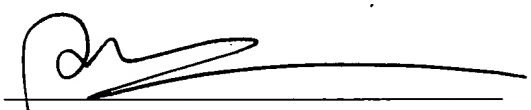
Claim 8 is withdrawn as indicated supra.

It is important to note also that the Nihei kiosk only scans and processes photographic prints or film. It will not perform functions such as sending a captured scan to email, fax or an archive. The inventive apparatus is a flatbed scanner with card slots as an embedded component of the

scanner. A photographic reproduction kiosk is not the same technology regardless of it having a platen similar to a scanner or a copier. Nor does the Nihei kiosk contain any card readers, but rather a terminal port wherein a USB device may be connected. The Nihei kiosk does not perform as a standard flatbed scanner in an office environment in that its only function is to reproduce photographs. The kiosk is not an office "tool". The claimed invention is a new and improved scanner which has multiple functions as any flatbed scanner does, except that it now provides card reader slots embedded therein for improved data capture, and user programmable buttons.

With the amended Claims, and the remarks herein, Applicant believes that this Application now stands in allowable form and reconsideration is respectfully requested.

Respectfully submitted,



Ron van Os, Applicant

Claims:

1) (Cancelled)

2) (Twice Amended) An image acquisition apparatus connected to at least one USB equipped computer, comprising: a) one or more digital card reader slots to accept transmittal means for inputting image data into a control circuit within said apparatus; b) transmittal means for sending said image data from said control circuit through the USB system of said computer; c) interface means for said control circuit to receive instructions from, and send data to, control software on said computer; ~~d) at least one of a Compact Memory card reader, a Smart Media card reader, a PC or PCMCIA card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and an IBM Microdrive reader~~;

3) (Currently Amended) An apparatus as in claim 2, further comprising simple control means for directing complex operations of said control circuit and said control software directly from the outside of said apparatus, said means comprising: a) at least one button on said apparatus wherein said button has a function determined by said control software indicating that button to direct a scanned image to result in a fax, email, print job or archive command; b) an interface for said button to direct said control circuit and said control software.

4) (Currently Amended) An apparatus as in claim 3, wherein said image input means further comprising a flatbed scanner, said scanner containing one or more digital card reader slots which may accommodate at least one of a Compact Memory card reader, a Smart Media card reader, a PC or PCMCIA card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and an IBM Microdrive reader ~~comprising: a) a transparent platform for placing items to be scanned, said items comprising photographs, documents, or drawings, and said platform having rectangular~~

~~dimensions; b) optical scanning hardware for scanning images of said items, wherein said hardware includes a scanning module slidably installed inside said housing, said scanning module being approximately as wide as one of the dimensions of said transparent platform, said scanning module comprising: i) a mechanism and assembly for moving said module along one of the axes of said transparent platform; ii) a bottom light source for emitting light towards said items, iii) an image converter for converting said image of the item into a digital image. c) a closeable top with dimensions slightly larger than the dimensions of said transparent platform, hingedly attached to said housing so that said top covers said transparent platform when closed.~~

5) (Cancelled)

6) (Twice Amended) An image processing method in an image acquisition apparatus connected to at least one USB equipped computer, comprising: a) an image input step for inputting image data into a control circuit within said apparatus; b) a transmittal step for sending said image data from said control circuit through the USB system of said computer; c) an interface step for said control circuit to receive instructions from, and send data to, control software on said computer upon detection of ~~; d) detecting~~ the insertion of the appropriate media into at least one of a Compact Flash Memory card reader, a Smart Media card reader, a PC or PCMCIA Card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and a IBM Microdrive reader, wherein the inventive software automatically launches a user interface upon insertion and detection thereof and offers one or more user options to process the data without having to press a button on the scanner.

7) (Currently Amended) A method as in claim 3 ~~6~~, further comprising simple control steps for optional directing complex operations of said control circuit and said control software directly from the outside of said apparatus, said steps comprising: a) providing at least one button on said apparatus wherein said button has a function determined by

said control software; b) providing an interface for said button to direct said control circuit and said control software.

8) (**Withdrawn**) A method as in claim 7, wherein said image input step further comprises providing a scanner, said scanner comprising: a) a transparent platform for placing items to be scanned, said items comprising photographs, documents, or drawings, and said platform having rectangular dimensions; b) optical scanning hardware for scanning images of said items, wherein said hardware includes a scanning module slidably installed inside said housing, said scanning module being approximately as wide as one of the dimensions of said transparent platform, said scanning module comprising: i) a mechanism and assembly for moving said module along one of the axes of said transparent platform; ii) a bottom light source for emitting light towards said items, iii) an image converter for converting said image of the item into a digital image. c) a closeable top with dimensions slightly larger than the dimensions of said transparent platform, hingedly attached to said housing so that said top covers said transparent platform when closed.

9) (Withdrawn) A method comprising: a) persistently monitoring any monitorable input means of an image acquisition apparatus; b) determining whether said input means have image-containing media therein; c) determining the quantity of image data files in said media; d) selecting at least one image data file from said media; e) transmitting said at least one image data file from said image acquisition apparatus to a computer; f) providing said image data file to a consumer-selected computer application.

10) (Withdrawn) A method as in claim 9 further comprising: a) persistently monitoring any buttons on said image acquisition apparatus; b) determining whether any said buttons have been pressed; c) selecting the appropriate consumer-selected computer application to which to provide said image data based on the predefined functions of said buttons.

11) (Withdrawn) A method as in claim 10 further comprising: a) determining whether there is a scanner associated with said image acquisition apparatus; b) selecting a set of scanning criteria as chosen by the consumer; and c) scanning an item on the transparent platform of said scanner at said selected set of scanning criteria where there is no media card in said input means.

12) (Withdrawn) A method as in claim 11 wherein said consumer-selected computer application is selected from an application to transfer said image data files to an Internet-

based professional photograph printing company, an application that launches said consumer's e-mail program and attaches said image data files to an e-mail created by said e-mail program, an application that launches said consumer's fax program and prepares a fax with said image in said fax for said consumer to address, an application to open a printer selection menu to allow said consumer to print said image on a selected printer, an application that archives said image data files in a convenient manner, and an application that presents the image data file to any other application on said consumer's computer for said any other application to use as an input into said any other application.

13) (Withdrawn) A method as in claim 12 wherein said consumer can selectively configure said computer application choices.

14) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets that, when executed, direct a computer to: a) persistently monitor any monitorable input means of an image acquisition apparatus; b) determine whether said input means have image-containing media therein; c) determine the quantity of image data files in said media; d) select at least one image data file from said media; e) transmit said at least one image data file from said image acquisition apparatus to a computer; f) provide said image data file to a consumer-selected computer application.

15) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 14 that, when executed, direct a computer to: a) persistently monitor any buttons on said image acquisition apparatus; b) determine whether any said buttons have been pressed; c) select the appropriate consumer-selected computer application to which to provide said image data based on the predefined functions of said buttons.

16) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 15 that, when executed, direct a computer to: a) determine whether there is a scanner associated with said image acquisition apparatus; b) select a set of scanning criteria as chosen by the consumer; and c) scan an item on the transparent platform of said scanner at said selected set of scanning criteria where there is no media card in said input means.

17) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 13 that, when executed, direct a computer to: a) launch an application that allows the consumer to customize which applications are launched with which parameters at the press of which buttons on said image acquisition apparatus.

18) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 14 wherein: a) said persistent monitoring occurs in a process boundary with the kernel driver, low level driver, and high level user interface; b) said program launching application runs in a process separated from said persistent monitoring process; and c) said applications launched by said program launching applications run in their own processes.

19) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 17 wherein: a) said persistent monitoring occurs in a process boundary with the kernel driver, low level driver, and high level user interface; b) said program launching application runs in a process separated from said persistent

monitoring process; c) said applications launched by said program launching applications run in their own processes; and d) said button configuration application runs in its own process, separate from said persistent monitoring process.

20) (Cancelled)

21) (Cancelled)

22) (Cancelled)

Claims:

1) (Cancelled)

2) (Twice Amended) An image acquisition apparatus connected to at least one USB equipped computer, comprising: a) one or more digital card reader slots to accept transmittal means for inputting image data into a control circuit within said apparatus; b) transmittal means for sending said image data from said control circuit through the USB system of said computer; c) interface means for said control circuit to receive instructions from, and send data to, control software on said computer;

3) (Currently Amended) An apparatus as in claim 2, further comprising simple control means for directing complex operations of said control circuit and said control software directly from the outside of said apparatus, said means comprising: a) at least one button on said apparatus wherein said button has a function determined by said control software indicating that button to direct a scanned image to result in a fax, email, print job or archive command; b) an interface for said button to direct said control circuit and said control software.

4) (Currently Amended) An apparatus as in claim 3, wherein said image input means further comprising a flatbed scanner, said scanner containing one or more digital card reader slots which may accommodate at least one of a Compact Memory card reader, a Smart Media card reader, a PC or PCMCIA card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and an IBM Microdrive reader.

5) (Cancelled)

6) (Twice Amended) An image processing method in an image acquisition apparatus connected to at least one USB equipped computer, comprising: a) an image input step for

inputting image data into a control circuit within said apparatus; b) a transmittal step for sending said image data from said control circuit through the USB system of said computer; c) an interface step for said control circuit to receive instructions from, and send data to, control software on said computer upon detection of the insertion of the appropriate media into at least one of a Compact Flash Memory card reader, a Smart Media card reader, a PC or PCMCIA Card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and a IBM Microdrive reader, wherein the inventive software automatically launches a user interface upon insertion and detection thereof and offers one or more user options to process the data without having to press a button on the scanner.

7) (Currently Amended) A method as in claim 3, further comprising simple control steps for optional directing complex operations of said control circuit and said control software directly from the outside of said apparatus, said steps comprising: a) providing at least one button on said apparatus wherein said button has a function determined by said control software; b) providing an interface for said button to direct said control circuit and said control software.

8) (Withdrawn) A method as in claim 7, wherein said image input step further comprises providing a scanner, said scanner comprising: a) a transparent platform for placing items to be scanned, said items comprising photographs, documents, or drawings, and said platform having rectangular dimensions; b) optical scanning hardware for scanning images of said items, wherein said hardware includes a scanning module slidably installed inside said housing, said scanning module being approximately as wide as one of the dimensions of said transparent platform, said scanning module comprising: i) a mechanism and assembly for moving said module along one of the axes of said transparent platform; ii) a bottom light source for emitting light towards said items, iii) an image converter for converting said image of the item into a digital image. c) a closeable top with dimensions slightly larger than the dimensions of said transparent platform,

hingedly attached to said housing so that said top covers said transparent platform when closed.

9) (Withdrawn) A method comprising: a) persistently monitoring any monitorable input means of an image acquisition apparatus; b) determining whether said input means have image-containing media therein; c) determining the quantity of image data files in said media; d) selecting at least one image data file from said media; e) transmitting said at least one image data file from said image acquisition apparatus to a computer; f) providing said image data file to a consumer-selected computer application.

10) (Withdrawn) A method as in claim 9 further comprising: a) persistently monitoring any buttons on said image acquisition apparatus; b) determining whether any said buttons have been pressed; c) selecting the appropriate consumer-selected computer application to which to provide said image data based on the predefined functions of said buttons.

11) (Withdrawn) A method as in claim 10 further comprising: a) determining whether there is a scanner associated with said image acquisition apparatus; b) selecting a set of scanning criteria as chosen by the consumer; and c) scanning an item on the transparent platform of said scanner at said selected set of scanning criteria where there is no media card in said input means.

12) (Withdrawn) A method as in claim 11 wherein said consumer-selected computer application is selected from an application to transfer said image data files to an Internet-based professional photograph printing company, an application that launches said consumer's e-mail program and attaches said image data files to an e-mail created by said e-mail program, an application that launches said consumer's fax program and prepares a fax with said image in said fax for said consumer to address, an application to open a printer selection menu to allow said consumer to print said image on a selected printer, an application that archives said image data files in a convenient manner, and an application

that presents the image data file to any other application on said consumer's computer for said any other application to use as an input into said any other application.

13) (Withdrawn) A method as in claim 12 wherein said consumer can selectively configure said computer application choices.

14) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets that, when executed, direct a computer to: a) persistently monitor any monitorable input means of an image acquisition apparatus; b) determine whether said input means have image-containing media therein; c) determine the quantity of image data files in said media; d) select at least one image data file from said media; e) transmit said at least one image data file from said image acquisition apparatus to a computer; f) provide said image data file to a consumer-selected computer application.

15) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 14 that, when executed, direct a computer to: a) persistently monitor any buttons on said image acquisition apparatus; b) determine whether any said buttons have been pressed; c) select the appropriate consumer-selected computer application to which to provide said image data based on the predefined functions of said buttons.

16) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 15 that, when executed, direct a computer to: a) determine whether there is a scanner associated with said image acquisition apparatus; b) select a set of scanning criteria as chosen by the consumer; and c) scan an item on the transparent platform of said scanner at said selected set of scanning criteria where there is no media card in said input means.

17) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 13 that, when executed, direct a computer to: a)

launch an application that allows the consumer to customize which applications are launched with which parameters at the press of which buttons on said image acquisition apparatus.

18) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 14 wherein: a) said persistent monitoring occurs in a process boundary with the kernel driver, low level driver, and high level user interface; b) said program launching application runs in a process separated from said persistent monitoring process; and c) said applications launched by said program launching applications run in their own processes.

19) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 17 wherein: a) said persistent monitoring occurs in a process boundary with the kernel driver, low level driver, and high level user interface; b) said program launching application runs in a process separated from said persistent monitoring process; c) said applications launched by said program launching applications run in their own processes; and d) said button configuration application runs in its own process, separate from said persistent monitoring process.

20) (Cancelled)

21) (Cancelled)

22) (Cancelled)